

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

MARCUS DESHAWN COX,)
)
Petitioner,) 1:12CR245-1
v.) 1:13CV582
)
UNITED STATES OF AMERICA,)
)
Respondent.)

ORDER

On March 10, 2015, the United States Magistrate Judge's Recommendation was filed and notice was served on the parties pursuant to 28 U.S.C. § 636. No objections have been filed. Therefore, the Court need not make a *de novo* review and the Magistrate Judge's Recommendation [Doc. #35] is hereby adopted.

IT IS THEREFORE ORDERED AND ADJUDGED that Petitioner's Motion to Vacate, Set Aside, or Correct Sentence [Doc. #21] is denied without issuance of a certificate of appealability, except as to Ground Two, which the Court grants by re-entering its judgment to give Petitioner another opportunity to pursue a timely appeal. In light of the relevant circumstances,

new counsel shall be appointed for Petitioner.

This the 26th day of February, 2016.

/s/ N. Carlton Tilley, Jr.
Senior United States District Judge